

LYNDON CITY COUNCIL
REGULAR MEETING MINUTES OF
August 17, 2020

The Lyndon City Council met in regular session on Monday, August 17, 2020, 7:00 p.m., at City Hall.

1. CALL TO ORDER: Mayor Steve Morrison called the meeting to order.

- a) ROLL CALL: City Clerk called roll of the City Council. Mayor Steve Morrison, and members Kevin Heit, Katie Shepard, Doug Harty, and Lynn Atchison present. Member Darin Schmitt absent with notification.

City Staff present: Pat Walsh, City Attorney; Julie Stutzman, City Clerk; Scott Culley, Public Works; Darrel Manning, Law Enforcement Supervisor; and Officer David Forkenbrock.

Others Present: Brett Lewis, Ardis Diehl, Carla Sloop, Chris Cole, Bruce Lane, Teresa Lane, Harold Clelland, Janice Thomas, Levi Garber, Letitia Garber, Josh Payne, and Gene Hirt.

2. PUBLIC HEARINGS:

- a) 2021 Budget: At 7:02 p.m. Atchison made the motion to open the public hearing on the 2021 Budget. Heit seconded; motion carried. Hirt asked questions in regards to the Special Highway, Special Parks and Rec, City 1%, City .5%, Equipment Reserve and Water Utility funds to which his questions were answered. At 7:09 p.m. Atchison made the motion to close the public hearing on the budget. Shepard seconded; motion carried.
- b) Alley Vacate: At 7:10 p.m. Atchison made the motion to open the public hearing on vacating the east half of the alley that runs east and west in Block 3 of the original town of Lyndon. Shepard seconded; motion carried. The City Attorney briefly discussed the reason for the petition by the property owners for the alley to be vacated, noted that both property owners have agreed, and if approved by the Governing Body has Ordinance No. 838 prepared to proceed with the alley vacation. At 7:14 Shepard made the motion to close the hearing. Atchison seconded; motion carried.

3. APPROVAL OF MINUTES OF PREVIOUS MEETING:

- a) Atchison made the motion to approve the regular meeting minutes of August 3, 2020 as amended. Heit seconded; motion carried.

4. CONSENT AGENDA:

- a) Approval of Bills: Harty made the motion to approve the bills as set forth. Shepard seconded; motion carried.

5. PUBLIC COMMENTS: Gene Hirt spoke about his concerns in regards to the conditions of the baseball and softball fields at Jones Park as well as the parking.

Chris Cole stated that he and Josh Payne are in attendance on behalf of the Lyndon Pride regarding Lyndon's 150th Anniversary and Fall Festival on Saturday, October 3. Mr. Cole stated they have obtained permission from the County to use the courthouse lawn for events, Mr. Thill already has permission from the city to hold a scaled down car show at the City Park, and other events are scheduled as well. It is their intent to have an event later in the evening and Josh Payne stated that they would like to hold a firework display at City Park after the car show. Mr. Payne stated they would discharge the fireworks closer to the ball diamonds providing plenty of distance from that area for people to watch the display. He stated they have someone lined up to facilitate the fireworks display and they have the funds to cover the liability insurance for the events, and they are willing to obtain a permit from the city. After further discussion, no action will be taken until the process can be reviewed.

Banners for the event were also discussed and asked about placing those at city hall and the city park.

Carla Sloop asked about the funding and that she had received an email from Stephanie Watson with an application link. The City Attorney clarified that it is pertaining to the CARES Act funding through the County and he briefly discussed that with Mrs. Sloop. The City Clerk stated she would be willing to provide the contact information of the grant administrator to Carla Sloop.

Janice Thomas asked if the water bill was going up as she had heard a rumor about it. The Mayor clarified that the water rates will not be increased however, due to the sewer project and the need to ensure funds for debt service, a proposed \$25 service fee is being discussed per account.

Harold Clelland stated that his bill would then be over \$160 if this is instituted. The Mayor reiterated that the rate increase would be instituted to cover the debt service on the sewer project and is not something the Council likes to have to do.

Janice Thomas inquired if they could resume playing cards at the community center and the City Clerk stated the building has stayed open for events and told her to come and get the key. It was also noted that the community center is sanitized after each event.

6. CORRESPONDENCE TO COUNCIL:

- July 2020 Edition of the Kansas Government Journal.

7. UNFINISHED BUSINESS:

- a) APPROVAL OF 2021 BUDGET: Heit made the motion to approve the 2021 Budget. Shepard seconded; motion carried.

- b) **ORDINANCE NO 838:** Atchison made the motion to approve Ordinance No. 838 approving the alley vacation. Heit seconded; motion carried.
- c) **JACKSON STREET UPDATE:** The Council was provided with a written update from BG Consultants in regards to progress on the Jackson Street project. KDHE has approved the plans and specifications for the design of the gravity main and lift station. Randy Stone has performed the preliminary review and expects to be complete with USDA-RD review this week. Mr. Weishaar noted that he discussed the project with Mr. Stone today who mentioned that the project could be bid and any necessary design changes could be addressed by addendum. The proposed bidding and construction schedule would go as follows:

- Advertise for Bids **August 25, 2020**
- Open Bids **September 29, 2020**
- Begin Construction **Mid-Late October**
(depending on contract turn-around time)
- Substantial Completion **January-February**
- Final Completion **March-April**

Atchison made the motion to proceed with publishing the Approve Bid Advertisement on August 25, 2020 with bid-opening September 29, 2020, contingent on USDA-RD concurrence from Randy Stone. Shepard seconded; motion carried.

- d) **BRUSH HOG REPAIR:** The Maintenance Supervisor provided a copy of an updated quote for repair of the city's brush hog. He stated the damage to the equipment was worse than expected which included the gear box and the repair cost has increased to \$1,176.51. After brief discussion, Council tabled the matter and directed the Maintenance Supervisor to search for a replacement brush hog.

8. NEW BUSINESS:

- a) **GRANT ADMINISTRATION CONTRACT WITH WESTERN CONSULTANTS:** The Council received a copy of the grant administration contract with Western Consultants in the amount not to exceed \$15,000 which is included in the grant budget. The City Attorney reviewed the contract and found no issues with it. Harty made the motion to approve and authorize the Mayor to sign the contract with Western Consultants for administering the CDBG-CV grant on behalf of the city. Atchison seconded; motion carried.

9. STAFF REPORTS:

- a) **POLICE:** Council received a copy of the Officer Manning's report from August 1, 2020 to August 15, 2020.

Copy of Officer Forkenbrock's report from August 2, 2020 to August 17, 2020

- b) PUBLIC WORKS: Council received a copy of the Maintenance Activity report from August 4, 2020 to August 17, 2020.

Mayor Morrison asked if Killough had finished Ash Court and the Maintenance Supervisor stated that were not able to due to plant issues. He also stated they will be returning tomorrow.

Atchison stated that Quality Built is doing quite a bit of work in town. The Maintenance Supervisor stated they will be pouring the concrete tomorrow.

Mayor Morrison stated that the bucket truck and road grader continue to need some repair work done. The Maintenance Supervisor stated there is an electrical short in the wiring on the bucket truck and an airline leak that affects the brakes on the grader.

- c) CITY CLERK: Contacted Don Jensen and Rick Enszt with regards to finishing up the RD Loan and hopefully obtain the current low interest rate. We are working on setting a meeting with Chelsea Morris of USDA on specifics either through phone conference, face to face or some kind of online meeting.

CDBG-CV - working with the grant administrator for advertisement in the paper for businesses to apply, Garrett's recommendation is to work close to the same dates as the CARES act funding notification. Once it has been advertised, the application phase will begin.

Continue to work with Garrett on putting together expenses to submit to the County for the CARES act funding. The tentative budget for the cities to share is 250,000 to be split between the 7 cities in the county and may be based on population which Lyndon holds 12% of the population in Osage County. Expenses for the funding is only going to be paid for future planning and expenses not what has been spent.

Kansas State Health Plan has added voluntary benefits for employees which include hospital, accident and critical illness plans through MetLife/Hartford. These would be an employee payroll deduction and no expense to the City. Deadline to respond if the city wants to provide these benefits to employees is August 20. Consensus by Council to proceed with offering that to employees.

10. COUNCIL/MAYOR COMMENTS AND REPORTS:

Atchison stated he had received two citizen complaints and one citizen compliment since the last meeting. He received complaints regarding 411 W 6th with the yard not being mowed and several nuisance items and debris as well as 806 Jefferson grass not being mowed. Atchison stated at the last meeting there was a resident request for a stop sign at that corner of 8th and Jefferson, however, if the residents at 806 Jefferson were made to mow the yard and trim the weeds on the corner that visibility would improve.

Atchison stated that a citizen came to him a few weeks ago, which he subsequently talked to Officer Forkenbrock about, in regards to low-hanging tree limbs over the sidewalk. Officer Forkenbrock took action to get the property owner to trim the trees and the resident who had complained let Atchison know it was taken care of and thanked him. Atchison thanked Forkenbrock for handling the situation.

11. EXECUTIVE SESSION: At 8:16 p.m. Atchison made the motion to recess to executive session for non-elected personnel for 20 minutes with the City Attorney attending. Heit seconded; motion carried. At 8:36 p.m. Council reconvened with no binding action taken.

At 8:37 p.m. Heit made the motion to recess to executive session for non-elected personnel for 5 minutes with the City Attorney attending. Shepard seconded; motion carried. At 8:42 p.m. Council reconvened with Shepard making the motion to have Officer Manning cover crossing guard until replacement can be found; put an ad in the paper regarding the crossing guard position; offer cleaning services position to second choice from the last bid process and if not interested also place ad in the paper for cleaning services; add the starting wage of \$14.00 to the maintenance position ad; and approve the office hours as requested by employee. Atchison seconded; motion carried.

12. ADJOURNMENT: Heit made the motion to adjourn to Tuesday, September 8, 2020 at 7:00 p.m. for regular meeting. Shepard seconded; motion carried.

Respectfully submitted,


Julie Stutzman, CMC
City Clerk

Approved by the governing body on September 8, 2020

Attest:


Julie Stutzman, CMC
City Clerk

